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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Inventor(s) : Katsutomo Terashima *et al.*
Serial Number : 09/434,024
Filed : November 4, 1999
For : EXCIMER LASER DEVICE AND GAS FOR EXCIMER DEVICE
Examiner : Cornelius H. Jackson
Group Art Unit : 2881

NOTICE OF APPEAL

The Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

June 10, 2004

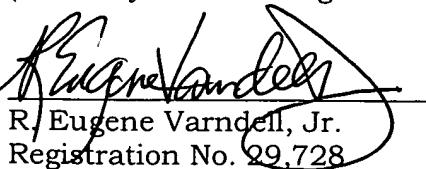
Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the examiner's decision in the final Office action mailed March 11, 2003, finally rejecting claims 40-52. The Official action set forth a three-month period for response, making response due on or before June 11, 2004. Accordingly, this Notice of Appeal is timely filed.

A check in the amount of THREE HUNDRED THIRTY DOLLARS (\$330.00) for the government notice of appeal fee is attached hereto.

In the event that this paper is not timely filed, applicant hereby petitions for an appropriate extension of time. The Commissioner is hereby authorized to charge the fee therefor, as well as any deficiency in the payment of the required fee(s) or credit any overpayment, to our deposit account No. 22-0256.

Respectfully submitted,
VARNDELL & VARNDELL, PLLC
(Formerly Varndell Legal Group)


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